

# IN THE MICHIGAN COURT OF APPEALS

## ORDER

Re: **People of MI v Steven Vandelinder**  
Docket No. **280013**  
L.C. No. **89-000223-FC**

William C. Whitbeck, Chief Judge, acting under MCR 7.203(F)(1) and 7.216(A)(10), orders:

Defendant's delayed application for leave to appeal is DISMISSED for lack of jurisdiction. Because defendant filed an earlier motion for relief from judgment that was denied in 2001, he may not appeal the trial court's July 13, 2007 order denying a successive motion for relief from judgment. MCR 6.502(G)(1). The exception provided by MCR 6.502(G)(2) is inapplicable because defendant's successive motion for relief from judgment was not based on a retroactive change in the law or newly discovered evidence.

The motion to waive fees is GRANTED for this case only.



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

SEP - 7 2007

Date

*Sandra Schultz Mengel*  
Chief Clerk